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FEB 27 2009

OFFICE OF PETITIONS

In re Application of	:	
David P. YACH, et al.	:	
Application No. 10/775,817	:	DECISION ON PETITION
Filed: February 10, 2004	:	UNDER 37 CFR 1.137(b)
Attorney Docket No. 1578.115(11428-4-US-PAT)	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 1, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of July 20, 2007. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the date of abandonment of this application is October 21, 2007.

37 CFR 1.137(d) requires a terminal disclaimer dedicating to the public a terminal part of the term of any patent granted on the above-identified application or any patent granted on any continuing application that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. Since the application is not a utility or plant application filed before June 8, 1995, a terminal disclaimer is not required. Accordingly, the terminal disclaimer filed with the instant petition is unnecessary. Therefore, the fee of will be refunded to petitioner in due course.

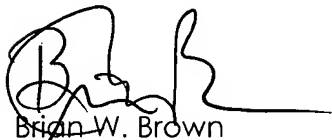
The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$810, and the submission required by 37 CFR 1.114; (2) the petition fee of \$1540; and (3) an adequate statement of unintentional delay.

The application file does not indicate a change of address has been filed in this case,

although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Telephone inquiries concerning this decision should be directed to Monica A. Graves at (571) 272-7253.

This application is being referred to Technology Center AU 2166 for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.

A handwritten signature in black ink, appearing to read 'Brian W. Brown', with a stylized, cursive script.

Brian W. Brown
Petitions Examiner
Office of Petitions

cc: **SCHEEF & STONE, LLP**
5956 SHERRY LANE, SUITE 1400
DALLAS, TX 75225

Electronic Acknowledgement Receipt

EFS ID:	3243426
Application Number:	10775817
International Application Number:	
Confirmation Number:	8167
Title of Invention:	Apparatus, and associated method, for locking and identifying a change list used pursuant to database synchronization operations in a radio communication system
First Named Inventor/Applicant Name:	David Paul Yach
Customer Number:	44208
Filer:	Robert H. Kelly./Lilis Pramasurja
Filer Authorized By:	Robert H. Kelly.
Attorney Docket Number:	1578.115 (11428-4-US-PAT)
Receipt Date:	01-MAY-2008
Filing Date:	10-FEB-2004
Time Stamp:	19:43:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes	Adjustment date: 02/27/2009 CKH/OK
Payment Type	Deposit Account	05/02/2008 INTEFSW 00003632 502032 10775817
Payment was successfully received in RAM	\$2480	02 FC:1814 130.00 CR
RAM confirmation Number	3632	
Deposit Account	502032	
Authorized User		


The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions.	Petition_37CFR1137b_11428-4.pdf	117424 05c5c75b9a617c2453c6246b6626b1488191cd26	no	2
Warnings:					
Information:					
2	Terminal Disclaimer Filed	Terminal Disclaimer_11428-4.pdf	65990 acadc51c5ea018b1920719028081229e5a0ea045	no	1
Warnings:					
Information:					
3		ROA_20July2007_11428-4.pdf	110463 b88cf30c167005dbbe404fec9643cbd804761190	yes	7
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment Submitted/Entered with Filing of CPA/RCE		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	7	
Warnings:					
Information:					
4	Request for Continued Examination (RCE)	RCE_11428-4.pdf	701747 c12d63ea656aec949bf3020851cbe43437716709	no	3
Warnings:					
Information:					
5	Fee Worksheet (PTO-06)	fee-info.pdf	8555 34c1039d9af2f2b41aa46a08b31d67f117669ca	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1004179		

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REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 02/24/09		2 Serial/Patent # 10/775,817		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input type="checkbox"/>	Petition			\$
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):	9 5 0 -- 2 0 3 2		
Filing of TD was unnecessary.				
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TYPED/PRINTED NAME: Monica A. Graves		TITLE: Paralegal Specialist		
SIGNATURE: /Monica A. Graves/		PHONE: (571) 272-7253		
OFFICE: Office of Petitions				
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APPROVED: 		DATE: 2/27/09		

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